

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRADLEY JOHN STOICK,

Defendant.

CR 20–15–BU–DWM

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered Findings and Recommendation in this matter on July 31, 2020. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

This Court will review the Findings and Recommendation for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach. Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

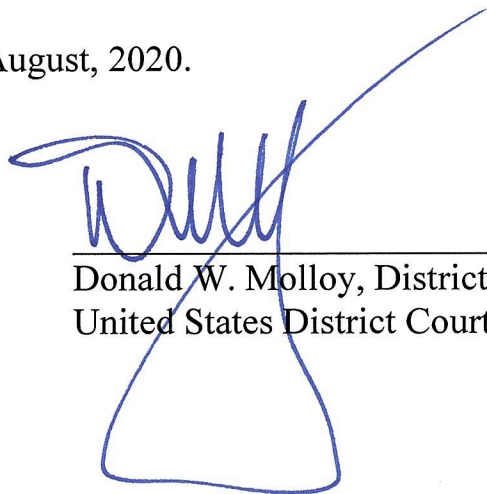
Judge DeSoto recommended this Court accept Bradley John Stoick’s guilty plea after Stoick appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered his plea of guilty to one count of dispensing controlled

substances by a practitioner (diversion) in violation of 21 U.S.C. § 841(a)(1), and one count of acquiring or obtaining a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge in violation of 21 U.S.C. § 843(a)(3), as set forth in the Information filed against him.

I find no clear error in Judge DeSoto's Findings and Recommendation (Doc. 12), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing, when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Bradley John Stoick is adjudged guilty as charged in the Information.

DATED this 19th day of August, 2020.



Donald W. Molloy, District Judge
United States District Court